

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

OLD LADDER LITIGATION CO., LLC, as
Litigation Designee on behalf of the Liquidation
Trust,

Plaintiff,

v.

INVESTCORP BANK B.S.C., et al.,

Defendants.

CIVIL ACTION

NO. 08 CV 0876

ECF CASE

**DECLARATION OF MICHAEL
D. BROOKS**

Michael D. Brooks, under penalty of perjury, states as follows:

1. I submit this declaration in support of the portion of Defendants' Motion to dismiss seeking dismissal of the claims brought against me on the grounds that this Court lacks jurisdiction over my person.

2. From April 18, 1994 until June 24, 2005, I was employed at Werner Co.

3. Werner Co.'s headquarters were located in Greenville, Pennsylvania and my offices during this period were located in Georgia and North Carolina. My office in North Carolina was a satellite office.

4. From April 18, 1994 until June 24, 2005, I resided in Georgia. I currently reside in Georgia and work in Georgia.

Executed this 31 day of MAY, 2008, subject to penalties of perjury.


Michael D. Brooks

AFFIDAVIT OF SERVICE

STATE OF NEW YORK)
 : ss.:
COUNTY OF NEW YORK)

Kenneth J. Horrmann, being duly sworn, deposes and says:

1. I am not a party to the action, am over 18 years of age and am employed by
Skadden, Arps, Slate, Meagher & Flom LLP, Four Times Square, New York, NY 10036.

2. On June 2, 2008, I served the following:

- *Notice of Motion,*
- *Opening Memorandum of Law in Support of Defendants' Joint Motions to Transfer Venue and to Dismiss the Complaint,*
- *Declaration of Michael D. Brooks,*
- *Declaration of Anthony W. Clark,*
- *Declaration of David M. Conn,*
- *Declaration of Daniel M. DiDomenico,*
- *Declaration of John J. Dylik,*
- *Declaration of Christopher G. Filardi,*
- *Declaration of Bruce B. Fischer,*
- *Declaration of Karen R. Garcell,*
- *Declaration of Vincent J. Garcell,*
- *Declaration of Edward W. Gericke,*
- *Declaration of Timothy K. Lewis,*
- *Declaration of Neal R. Martin,*
- *Declaration of Lisa A. Pressler,*
- *Declaration of John M. Remmers,*
- *Affidavit of Steven P. Richman,*
- *Declaration of Christopher J. Stadler,*
- *Declaration of Gary Stewart,*
- *Declaration of Thomas J. Sullivan,*
- *Declaration of Gregory W. Werkheiser,*
- *Declaration of Eric J. Werner; and*
- *Declaration of Michael S. Wong*

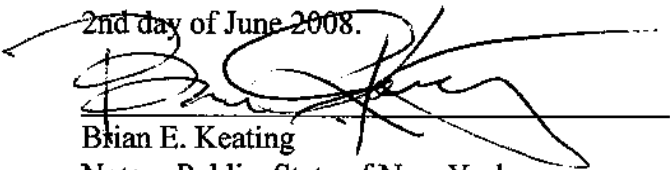
by first-class mail by depositing same in a post-paid properly addressed envelope, in an official
depository under the exclusive care and custody of the U.S. Postal Service within the State of
New York upon:

Kevin C. Walz
8045 Bainbrook Drive
Chagrin Falls, OG 44023

David A. Cardillo
23 St. Glory Road
Greenville, PA 16125

Kenneth J. Horrmann
Kenneth J. Horrmann

Sworn to before me this
2nd day of June 2008.



Brian E. Keating
Notary Public, State of New York
No. 01KE5009535
Qualified in Westchester County
Certificate Filed in New York County
Commission Expires March 15, 2011